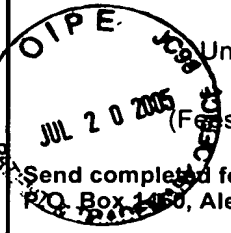


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

 <p><b>PETITION FEE</b> Under 37 CFR 1.17(f), (g) &amp; (h) <b>TRANSMITTAL</b> (Fees are subject to annual revision) Send completed form to: Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450</p>	<b>Application Number</b>	<b>10/817,608</b>
	<b>Filing Date</b>	<b>April 2, 2004</b>
	<b>First Named Inventor</b>	<b>K. SONODA, et al</b>
	<b>Art Unit</b>	
	<b>Examiner Name</b>	
	<b>Attorney Docket Number</b>	<b>H-1212</b>

Enclosed is a petition filed under 37 CFR §1.102(d) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition (fees))

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 50-1417:

☐ petition fee under 37 CFR 1.17(f), (g) or (h)

☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.

☒ Payment by credit card (From PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f):**

**Fee \$400**

**Fee Code 1462**

For petitions filed under:

§ 1.53(e) - to accord a filing date.

§ 1.57(a) - to according a filing date.

§ 1.182 - for decision on a question not specifically provided for.

§ 1.183 - to suspend the rules.

§ 1.378(e) for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.

§ 1.741(b) - to accord a filing date to an application under §1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g):**

**Fee \$200**

**Fee code 1463**

For petitions filed under:

§1.12 - for access to an assignment record.

§1.14 - for access to an application.

§1.47 - for filing by other than all the inventors or a person not the inventor.

§1.59 - for expungement of information.

§1.103(a) - to suspend action in an application.

§1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.

§1.295 - for review of refusal to publish a statutory invention registration.

§1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.

§1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.

§1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.

§1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.

§ 5.12 - for expedited handling of a foreign filing license.

§ 5.15 - for changing the scope of a license.

§ 5.25 - for retroactive license.

**Petition Fees under 37 CFR 1.17(h):**

**Fee \$130**

**Fee Code 1464**

For petitions filed under:

§1.19(g) - to request documents in a form other than that provided in this part.

§1.84 - for accepting color drawings or photographs.


§1.91 - for entry of a model or exhibit.

§1.102(d) - to make an application special.

§1.138(c) - to expressly abandon an application to avoid publication.

§1.313 - to withdraw an application from issue.

§1.314 - to defer issuance of a patent.

<b>Name (Print/Type)</b>	<b>Daniel J. Stanger</b>	<b>Registration No. (Attorney/Agent)</b>	<b>32,846</b>
<b>Signature</b>		<b>Date</b>	<b>July 20, 2005</b>

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



H-1212

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): K. SONODA, et al

Serial No.: 10/817,608

Filed: April 2, 2004

For: FILE SYSTEM

**PETITION TO MAKE SPECIAL  
UNDER 37 CFR §1.102(MPEP §708.02)**

**MS Petition**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 20, 2005

Sir:

Applicants hereby petition the Commissioner to make the above-identified application special in accordance with 37 CFR §1.102(d). Pursuant to MPEP §708.02(VIII), Applicants state the following.

**(A) This Petition is accompanied by the fee set forth in 37 CFR §1.17(h).**

The Commissioner is hereby authorized to charge any additional payment due, or to credit any overpayment, to Deposit Account No. 50-1417.

**(B) All claims are directed to a single invention.**

If the Office determines that all claims are not directed to a single invention, Applicant will make an election without traverse as a prerequisite to the grant of special status in conformity with established telephone restriction practice.

07/21/2005 HALI11 00000040 10817608

01 FC:1464

130.00 OP

**(C) A pre-examination search has been conducted.**

The search was directed towards a storage system. In particular, the search was directed towards to the invention set forth in claims 1-22. According to claim 1, the invention is a computer system comprising: a first computer that receives access requests to files from at least one client computer; a first storage device system that is connected to the first computer and stores file management information; a second computer that receives access requests to data from the first computer; a second storage device system that is connected to the second computer and shares file data; and a network the connects to the at least one client computer, the first computer and the second computer, wherein. upon receiving file data from the at least one client computer, the first computer assigns first identification information to the file data, and stores the file data in the second storage device system through the second computer, the first storage device system stores the first identification information assigned to the file data by the first computer and a file name of a file having the file data assigned by the at least one client computer, upon receiving a write request to the file from the at least one client computer, the first computer assigns to write data received from the at least one client computer with the write request second identification information different from the first identification information assigned to the file data of the file stored in the second storage device system, the first computer stores the write data, through the second computer, in a storage region within the

second storage device system that is different from a storage region that stores the file data already stored in the second storage device system, and the first computer correlates the second identification information to the filename of the file and to the first identification information and stores the second identification in the first storage device system.

The search of the above features was conducted in the following areas:

<u>Class</u>	<u>Subclasses</u>
707	100, 200
709	245
711	100
717	127
719	318

Additionally, a computer database search was conducted on the USPTO systems EAST and WEST.

**(D) The following is a list of the references deemed most closely related to the subject matter encompassed by the claims:**

<u>U.S. Patent Number</u>	<u>Inventors</u>
6263491	Hunt
<u>U.S. Patent Application Publication No.</u>	<u>Inventor(s)</u>
2003/0208625	Nishio et al
2004/0237093	Sluiman et al
2005/0027718	Sakaguchi et al

A copy of each of these references (as well as other references uncovered during the search) is enclosed in an accompanying IDS.

**(E) It is submitted that the present invention is patentable over the references for the following reasons.**

It is submitted that the cited references, whether taken individually or in combination with each other, fail to teach or suggest the invention as claimed. In particular, the cited references, at a minimum, fail to teach or suggest in combination with the other limitations recited in the claims:

a first feature of the present invention as recited in each of independent claims 1, 10 and 19 of assigning by the first computer to write data, received from at least one client computer with the write request, second identification information different from first identification information assigned to the file data of the file stored in the second storage device system, correlating by the first computer the second identification information to the file name of the file and to the first identification information and storing the second identification information in the first storage device system, and

a second feature of the present invention as recited in independent claim 21 of storing by the first computer in the first storage device system, the first identification information and a file name of a file having the file data designated by the at least one client computer and storing by the second computer the file data in the second storage device.

To the extent applicable to the present Petition, Applicants submit that although the distinguishing feature(s) may represent a substantial portion of the claimed invention, the claimed invention including said feature(s) and their inter-

operation provides a novel storage system and system and method related to or implemented in or by said storage system not taught or suggested by any of the references of record.

The references considered most closely related to the claimed invention are briefly discussed below:

Hunt (U.S. Patent No. 6,263,491) discloses computer 20 connected to a remote computer 5. A first hard drive 27 is connected to the first computer 20. A second memory storage 49 is connected to the remote computer 5. Class identifiers are 128-bit globally unique identifiers (GUIDs). The GUIDs are created with a COM service named "CoCreateGUID". The interfaces of a component are also immutably associated with interface identifiers (IIDs), which are also 128-bit GUIDs. (See, e.g., Abstract, column 9, lines 23-54; and Figures 1-8).

However, unlike the present invention, Hunt does not teach or suggest the first storage device system stores the first identification information assigned to the file data by the first computer and a file name of a file having the file data assigned by the at least one client computer, and upon receiving a write request to the file from the at least one client computer, the first computer assigns to write data received from the at least one client computer with the write request second identification information different from the first identification information assigned to the file data of the file stored in the second storage device system.

Furthermore, Hunt does not teach or suggest the first computer stores the write data, through the second computer, in a storage region within the second storage device system that is different from a storage region that stores the file

data already stored in the second storage device system, and the first computer correlates the second identification information to the filename of the file and to the first identification information and stores the second identification in the first storage device system.

More particularly, Hunt does not teach or suggest the above described first feature of the present invention as recited in each of independent claims 1, 10 and 19, and the above described second feature of the present invention as recited in independent claim 21 in combination with the other limitations recited in each of the independent claims.

Nishio (U.S. Patent Application Publication No. 2003/0208625) discloses a first information providing unit 1011 and a broadcasting station 102. Each contents stored in a content storing portion 202 is assigned a unique identification name. The identification names and information of locations of contents are stored in a name registering portion 204. A resolution executing portion 402 has a correlation table 603 that correlates identifier names of contents and file names in a storing unit 303. (See, e.g., Abstract, paragraphs 52-55, 59 and Figures 1-4).

However, unlike the present invention, Nishio does not teach or suggest upon receiving a write request to the file from the at least one client computer, the first computer assigns to write data received from the at least one client computer with the write request second identification information different from the first identification information assigned to the file data of the file stored in the second storage device system.

Furthermore, Nishio do not teach or suggest the first computer stores the write data, through the second computer, in a storage region within the second storage device system that is different from a storage region that stores the file data already stored in the second storage device system.

More particularly, Nishio does not teach or suggest the above described first feature of the present invention as recited in each of independent claims 1, 10 and 19, and the above described second feature of the present invention as recited in independent claim 21 in combination with the other limitations recited in each of the independent claims.

Sluiman (U.S. Patent Application Publication No. 2004/0237093) discloses a computer system 100 adapted to communicate with other computing devices 100A. A transport correlator comprises transported information via transport 320. The transport correlator mainly comprises two components: a Globally Unique Correlator and a globally unique identifier (GUID) for the event and sequencing counters. The GUID identifies an event. The GUID is used as a key to associate one or more extensible correlators of correlation data. The transport correlator is configured to transport the GUID for associating with a GUID of a second event. (See, e.g., Abstract, paragraphs 20, 27-30, 36, 52 and Figures 3, and 5A-5D).

However, unlike the present invention, Sluiman does not teach or suggest a file name of a file having the file data assigned by the at least one client computer, and upon receiving a write request to the file from the at least one client computer, the first computer assigns to write data received from the at least one client computer with the write request second identification information



different from the first identification information assigned to the file data of the file stored in the second storage device system.

Furthermore, Sluiman does not teach or suggest the first computer stores the write data, through the second computer, in a storage region within the second storage device system that is different from a storage region that stores the file data already stored in the second storage device system.

More particularly, Sluiman does not teach or suggest the above described first feature of the present invention as recited in each of independent claims 1, 10 and 19, and the above described second feature of the present invention as recited in independent claim 21 in combination with the other limitations recited in each of the independent claims.

Sakaguchi (U.S. Patent Application Publication No. 2005/0027718) discloses a file management method having a controller 12 for receiving requests from a client machine #10. A first storage device #0 is connected to the first controller 12 and stores file management information. A second storage device #1 is connected to a second controller 22 and stores file data. A network 10 connects to a first storage device #0 and to a second storage device #1. The first storage device #0 is equipped with a disk 14 for storing files in a form of data and a first GUID management database DB 13. The GUID management DB 13 may be stored in a disk 14 or may be stored in a disk other than the first storage device #0. The storage device #0 and the second storage device #1 write the disks 14, 24 in response to local accesses from client machines #10, #11. The GUID given to a file is an identifier for identifying a file uniquely on a distributed

storage system. File A of the first storage device #0 is given GUID=10001, the file B is given GUID=10002. Similarly, the files D to F of the second storage device #1 are given GUID=20001 to 20003 respectively. The Globally Unique Identifiers (GUIDs) allocation DB 3 (of NIS server 1) and the GUID management DBs 13, 23 are managed to correlating the storage device number and the GUID block. (See, e.g., Abstract and paragraphs 29-32, 35-37, 44-49, 56, 60, 65-66, 93 and Figures 2-13).

However, unlike the present invention, Sakaguchi does not teach or suggest upon receiving a write request to the file from the at least one client computer, the first computer assigns to write data received from the at least one client computer with the write request second identification information different from the first identification information assigned to the file data of the file stored in the second storage device system.

More particularly, Sakaguchi does not teach or suggest the above described first feature of the present invention as recited in each of independent claims 1, 10 and 19, and the above described second feature of the present invention as recited in independent claim 21 in combination with the other limitations recited in each of the independent claims.

Therefore, since the cited references fail to teach or the above described first feature of the present invention as recited in each of independent claims 1, 10 and 19, and the above described second feature of the present invention as recited in independent claim 21 in combination with the other limitations recited in each of the independent claims, it is submitted that all of the claims are

patentable over the cited references whether said references are taken individually or in combination with each other.

**(F) Conclusion**

Applicant has conducted what it believes to be a reasonable search, but makes no representation that "better" or more relevant prior art does not exist. The United States Patent and Trademark Office is urged to conduct its own complete search of the prior art, and to thoroughly examine this application in view of the prior art cited herein and any other prior art that the United States Patent and Trademark Office may locate in its own independent search. Further, while Applicant has identified in good faith certain portions of each of the references listed herein in order to provide the requisite detailed discussion of how the claimed subject matter is patentable over the references, the United States Patent and Trademark Office should not limit its review to the identified portions but rather, is urged to review and consider the entirety of each reference, and not to rely solely on the identified portions when examining this application.

In view of the foregoing, Applicant requests that this Petition to Make Special be granted and that the application undergo the accelerated examination procedure set forth in MPEP 708.02 VIII.

**(G) Fee (37 C.F.R. 1.17(h))**

The fee required by 37 C.F.R. § 1.17(h) is to be paid by:

☒ the Credit Card Payment Form (attached) for \$130.00.

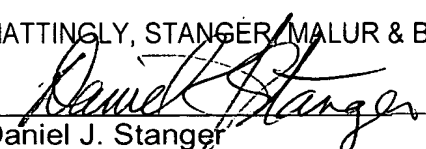
☐ charging Account \_\_\_\_\_ the sum of \$130.00.

A duplicate of this petition is attached.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.,  
Deposit Account No. 50-1417 (H-1212).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

  
\_\_\_\_\_  
Daniel J. Stanger  
Reg. No. 32,846

DJS/CIB/jdc  
(703) 684-1120